



NPT and CTBT: a key relationship in tough times

BY CTBTO EDITORIAL TEAM ¹

Reaching consensus within any multilateral institution today can be arduous and elusive as the global community grows more divided over ideology, identity politics and hardening diplomatic positions. Key arms control agreements and non-proliferation measures, such as the Intermediate-Range Nuclear Forces (INF) Treaty and the Joint Comprehensive Plan of Action (JCPOA), have lost support and adherence. The New Strategic Arms Reduction Treaty (New START), the only remaining bilateral nuclear arms control agreement, is due to expire in 2021 and a possible extension remains uncertain.

Protracted and deep-seated grievances fueled by perceptions of missed opportunities, betrayed commitments

and delayed solutions are severely jeopardizing the global nuclear order as we know it, including the long-standing credibility and sustainability of one of the most universal treaties, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Fifty years after the NPT entered into force, many scholars and experts interviewed by CTBTO expressed deep concern over the erosion of the existing arms control and non-proliferation framework, and skepticism over the prospects for a successful 2020 NPT Review Conference when the gathering, postponed because of COVID-19, finally goes ahead. But they also stressed how closely the Comprehensive Nuclear-Test-Ban Treaty (CTBT) is bound up with the NPT, with an end to nuclear

CTBTO Executive Secretary answers questions at the press briefing in Vienna after the technical briefing to Member States on 3 September 2017 following the DPRK nuclear test earlier that day.

¹ The overall views and conclusions expressed in this article by the CTBTO Editorial Team do not necessarily represent the views of individual experts quoted.

tests providing a foundation for the whole international disarmament and non-proliferation framework.

A DIFFICULT ENVIRONMENT

Sérgio Duarte, president of the 2005 NPT Review Conference and a former UN High Representative for Disarmament Affairs, notes that: **“The erosion [of the global arms control framework] is real and threatens the NPT itself. Important treaties and agreements between the major powers have been abandoned and the multilateral disarmament structure is at peril. There seems to be no will to enter into new arms control negotiations to take account of advances in technology. Over 20 years after its adoption, the CTBT has not entered into force. For nearly three decades now the Conference on Disarmament has been unable to start substantive work. It is imperative that States respect commitments entered into. Leaders – particularly in nuclear weapon states – should realize that their responsibilities toward the community of nations are wider than their parochial interests. Public opinion must participate actively in the common effort to achieve peace and security for all.”**

For Bruno Tertrais, deputy director of the French think-tank *Fondation pour la recherche stratégique* (FRS), the urgent challenge is “Saving what’s left!”: **“At this point in time, avoiding moving backwards is at least as important as moving forward. It’s a modest agenda but the most urgent one. Saving New START is obviously the priority. I don’t see this as being impossible.”**

Former Russian Ambassador Grigory Berdennikov also voices particular concern about New START: **“If there is no extension, it means that in less than a year from now, for the first time since 1972, mankind will face a vacuum free from any treaty regulation in nuclear arms control and in strategic relations between the two largest nuclear weapon powers.”**

When it comes to the future of the NPT, two trends are particularly worrisome.

First, the 2020 NPT Review Conference comes on the heels of the failed 2015 NPT Conference where no consensus Final Document was delivered. Disillusionment among member-states has endured ever since. And in 2019, NPT States Parties failed to adopt a common set of recommendations for the 2020 Review Conference, making a rapid consensus unlikely this time. Second, as the NPT machinery reaches an institutional stalemate, some member states have begun to search for consensus platforms elsewhere. New initiatives on nuclear non-proliferation and disarmament have flourished to rethink traditional multilateral mechanisms. Most of these initiatives have been conceived outside the NPT Framework and operate as networks and interest groups largely separated from the rest of the international community. The largest of these new nuclear initiatives, the Humanitarian Initiative on Nuclear Weapons, was launched in 2013 by a coalition of non-nuclear weapons states alienated by the lack of progress on disarmament within the NPT negotiations. The initiative ultimately led to the adoption of the Treaty on the Prohibition of Nuclear Weapons (TPNW) which remains legally and institutionally outside the NPT regime.

The most recent US-led Initiative on Creating the Environment for Nuclear Disarmament (CEND), launched in 2018, has been designed as a platform for dialogue among selected and like-minded countries. Similarly, the Swedish Initiative on Disarmament, inaugurated during the NPT Preparatory Committee in 2019, has gathered a group of 14 countries to reinvigorate cooperation over nuclear disarmament while seeking to provide continuity with past efforts.

The challenges to the NPT regime raise important questions on the

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future of multilateral nuclear diplomacy. They also, however, prompt much-needed reflection over how such changes will ultimately affect other multilateral nuclear treaties, and in particular the CTBT.

The upcoming NPT Review Conference: expectations and realism According to Patricia Lewis, who heads the Chatham House International Security programme: **“The most pressing challenge facing the 2020 NPT Review Conference is the reversal of progress in nuclear disarmament. Nuclear weapons are once again on the rise in terms of significance and salience in possessing countries – despite there being no inherent conflict at stake. This is having knock-on effects and we are seeing some countries start to once again consider acquiring the nuclear weapons capabilities that they had eschewed in joining the NPT.”**

“I think supporters of the NPT need to encourage the US and Russia in their efforts to get old-fashioned arms control back on the table – along with robust, workable verification systems. This is really about relationships and seeing the value of framing the role of nuclear weapons in international security in a way that reduces their salience and their inherent risks.”

Angela Kane, a former UN High Representative for Disarmament Affairs, shares Lewis’ concerns but also highlights how the successful negotiation of the TPNW adds further complexity and deepens the political divide within the NPT constituency of member states.

“Countries that have either signed or ratified the TPNW—or are intending to do so—will not wish to cause a disruption to the NPT review conference, but still it will be something that will be in the back of everyone’s mind, particularly as the numbers are inching upwards towards the 50 ratification bar that basically means that the treaty will come into force. And that may actually happen within the next year.” A Final Document from the Review Conference is important for at least two reasons. Firstly, it indicates the existence of an alignment of global interests and positions regarding nuclear policies and priorities for global peace and security. Secondly, it showcases the willingness of NPT States Parties to accept compromises in order to safeguard international cooperation, and to operate by consensus rather than through unilateral means.

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Of course, a Final Document is achievable only if NPT member states negotiate from the centre and avoid adopting intransigent positions. Given the complexity of achieving a Final Document, Patricia Lewis calls for a different outcome: “For the 2020 NPT Review Conference, I’d like to see a high-level document stressing the vital importance of the NPT on its 50th anniversary – and of course the 75th anniversary of the Hiroshima and Nagasaki nuclear

bombs. Such a document could be agreed at the level of presidents and prime ministers – and it should get to the very core of what is important about the Treaty. An agreed Review Document would be good, but all experts acknowledge that it will be hard to achieve any meaningful agreement on the past five years and on a framework for going forward.” Chilean diplomat Hellmut Lagos also sees value in reaffirming the basic principles of the NPT: “It is vital that all NPT States Parties renovate their previous commitments and give a clear signal of unity, particularly in light of the 50 years of the NPT. This anniversary should serve as a platform to highlight the importance and relevance of the Treaty, but at the same time, a chance to show the international community that there is a willingness to improve its implementation. Initiatives to strengthen the Nuclear Weapons Free Zones and promote the establishment [of a NWFZ] in the Middle East, even if difficult, should not be given up. Another helpful development is to continue to explore common non-proliferation initiatives that don’t replace, but complement, disarmament efforts.”

For Sérgio Duarte: “Given the current state of mistrust and outright hostility between the major powers, the Review Conference should, as a minimum, reaffirm the primacy of international law as the basis for further progress. In this connection, it would be useful for the 2020 Conference to agree that ‘a nuclear war cannot be won and must never be fought’. Over the years, a number of concrete measures to build confidence have been suggested, but opportunities for progress have been lost or neglected. Those suggestions should be revived and given serious consideration.”

THE NPT-CTBT NEXUS

Diplomats and experts agree the relationship between the CTBT and the NPT is vital. In the words of

Bruno Tertrais:

“It strikes me that so few people, in policy circles, realize how much the end of nuclear testing is at the forefront of the whole nuclear disarmament and non-proliferation regime. Many policy-makers and analysts seem to have forgotten how much the ban on testing was a key to the Non-Proliferation Treaty.” The complementarity and interdependence between the two treaties is clear. In its preamble, the NPT recalls the determination of the international community “to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time”. This measure is considered in the Non-Proliferation Treaty as an indispensable condition to halt the nuclear arms race, to prevent countries from acquiring nuclear weapons and to accelerate nuclear disarmament. Thus, one can say that the NPT itself sees the CTBT as a major factor contributing to the non-proliferation regime and a foundation for further measures leading to a world free of nuclear weapons.

In its turn, the CTBT in its preamble recognizes that: “...the cessation of all nuclear weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects.” Grigory Berdennikov explains: “One can hardly imagine that any non-nuclear weapons state which decides to go nuclear could do it without a nuclear test explosion. But such a test would surely be detected by the International Monitoring System which is an element of the CTBTO. This capability was convincingly demonstrated when the DPRK conducted its tests. Thus, the CTBTO provides an obstacle to nuclear proliferation, strengthening the non-proliferation regime. “In my opinion, by providing this help

to the non-proliferation regime and by being the indispensable founding stone for further arms control and disarmament measures, the CTBT makes a major contribution to international security. If the CTBT is destroyed it will be a serious blow to the maintenance of international security both directly and indirectly through the weakening of the NPT.”

Over the years the linkage between the two treaties has become even stronger. The promise to negotiate the CTBT and put it into force stood as an essential pre-condition for achieving an indefinite extension of the NPT in May 1995. In 2000, NPT States Parties identified the entry into force of the CTBT as the first of thirteen practical steps to achieve nuclear disarmament. Most specifically, the Final Document reaffirms: “...the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty”.

Finally, the Action Plan on disarmament adopted by the NPT member states at the conclusion of the 2010 NPT Review Conference identified five actions that the international community was required to undertake to accelerate the entry into force of the CTBT as a “core element of the international nuclear disarmament and non-proliferation regime”.

LOOKING BACK TO MOVE FORWARD

As the margins of political consensus among NPT member states shrink and multilateral ambitions recede, the need to identify policy areas where pragmatic consensus can be forged becomes essential and urgent. The desire to find goals that serve as common denominators was visible at the 2019 NPT Preparatory Committee, where more than 75 member states in their opening statements mentioned the CTBT as a bridge-building and consensus treaty. A flurry of working

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papers then followed, submitted by widely diverse coalitions of countries, to reiterate the indispensable role of CTBT in nuclear nonproliferation and in the disarmament process. Amid geopolitical uncertainties, these diplomatic statements recognized CTBT as the treaty that could help bridge the gap between nuclear weapons states and non-nuclear weapons states.

Innovative frameworks were also introduced at the NPT PrepCom in support of the CTBT. In its national statement, and while introducing its government-led initiative on support to the NPT 2020, Sweden cast CTBT as a transparency enhancement mechanism in arms control agreements. This is important because it recognizes both the confidence-building role that CTBT can play in a widely diverging international community, and the role it plays through its verification system as a credible enforcer of rules and principles widely shared by that international community.

Finally, a few countries began to discuss CTBT in the context of broader risk-reduction strategies. Discussions on what constitute mutually agreed steps that might reduce the risks of miscalculation or military confrontations are now emerging in various academic and policy settings. CTBT has been listed alongside de-alerting and other instruments as an indispensable instrument to elevate global strategic transparency and reduce

misperceptions among nuclear weapons states and nuclear aspirant countries amid geopolitical tensions.

REVIVING THE CENTRALITY OF THE CTBT AT THE NPT REVCON

The discussion that took place during the NPT PrepCom in 2019 might serve as a conduit to formulate a few expectations on how the CTBT will be framed during the upcoming Review Conference.

Here are some preliminary observations:

- 1.** The CTBT might be cast as the consensus multilateral nuclear agreement that, through scientific cooperation and data-sharing among all member states around the world, continues to bridge the divide between the haves and the have-nots.
- 2.** The CTBT as the emblem of global science diplomacy in action. Great enthusiasm today surrounds the role that scientists can play in finding common ground in highly politicized debates over global challenges, ranging from nuclear proliferation to climate change and beyond. The CTBTO, with its extraordinary pool of scientists and the deployment of four technologies, has in recent months been celebrated as the perfect example of science diplomacy in action.
- 3.** The CTBT as a confidence building mechanism in talks on regional and global crises. Tensions in nuclear arms negotiations, including recent efforts towards denuclearization of the Korean Peninsula, have underscored the need for substantive confidence-building measures that could highlight the good faith of the parties to resolve crises peacefully. As the international community today confronts these nuclear crises and tries to resolve them, an important political opening might emerge for the CTBT to play a critical role in de-escalating tensions among parties.